# Unit Victim Advocate Training

Philosophical Foundations

# Lesson 1

# Mission and Philosophy on Sexual Assault

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# Mission and Philosophy on Sexual Assault

## Learning Objectives:

- Understand DoD and Army mission and philosophy on sexual assault prevention and response
- Explain the Unit Victim Advocate's role in the Sexual Assault Prevention and Response Program
- Define sexual assault and recognize the distinction between sexual assault and other forms of behavior

# Army Policy

***Sexual assault is a criminal offense that has no place in the Army. It degrades mission readiness by devastating the Army's ability to work effectively as a team.***

# Army Policy: Reporting Sexual Assaults

***Every Soldier who is aware of a sexual assault, should immediately (within 24 hours) report incidents of sexual assault.***

# Army Policy on SAPR Training

***The Army will use training, education, and awareness to:***

- ***minimize sexual assault***
- ***promote the sensitive handling of victims of sexual assault***
- ***offer victim assistance and counseling***
- ***hold those who commit sexual assault offenses accountable***
- ***provide confidential avenues for reporting and to reinforce a commitment to Army Values.***

# Army Policy on Treatment of Victims

***The Army will treat all victims of sexual assault with dignity, fairness, and respect.***

# Army Policy on Reported Assaults

***The Army will treat every reported sexual assault incident seriously by following proper guidelines.***

# Definition of Sexual Assault

**SEXUAL ASSAULT IS A CRIME!**

Sexual assault is the “intentional sexual contact, characterized by use of force, physical threat or abuse of authority or when the victim does not or cannot consent.”

# Sexual Assault (Behaviors)

Sexual Assault Behaviors include:

- Rape
- Nonconsensual Sodomy (oral or anal sex)
- Indecent assault (unwanted, inappropriate sexual contact or fondling)
- Attempts to commit these acts

# Definition of Sexual Harassment

*Sexual Harassment is:*

*A form of gender discrimination that involves unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:*

- *A person's job, pay, or career placed at risk*
- *An employee's employment or career placed in jeopardy*
- *It creates an intimidating, hostile, or offensive work environment*

# Lesson 2

# Sexual Assault Myths

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# Sexual Assault Myths

Learning Objectives:

- Begin to identify personal beliefs related to sexual assault myths
- Identify widely held myths pertaining to sexual assault and gain awareness of the facts that dispel them
- Understand some of the actions taken by sexual assailants to create an opportunity to commit a sexual assault

# Lesson 3

# Sexual Offenders and Factors That Contribute to Sexual Assault

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Learning Objectives:

- Understand underlying conditions and factors contributing to sexual assault
- Identify conditions that are evident at attendees' specific locations.

# Pre-conditions to Sexual Assault

- Offender Motivation
- Offender overcomes his/her own inhibitions against assault
- Offender overcomes external inhibitions
- Offender overcomes victim inhibitions

# Lesson 4

# Unrestricted and Restricted Reporting Options

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# Unrestricted and Restricted Reporting Options

Learning Objectives

- Describe the differences between restricted and unrestricted reporting and the limitations and benefits of each

- Discuss the UVA's role in informing victims of their reporting and treatment options

# Remember the Victim has Reporting Options!

•**<u>Restricted Reporting</u>**:

•Allows the victim, on a **confidential** basis, to disclose details of the assault only to specified individuals:

- VA
- SARC
- Chaplain
- Healthcare Provider

•Law enforcement is not informed nor does the command structure become involved, thus eliminating the opportunity for disciplinary or protective action.

**<u>Unrestricted Reporting</u>**:

- Allows the victim to receive medical treatment, including a forensic examination, counseling, and to inform the appropriate legal/command authority.

- The advantage of the unrestricted reporting option is that notification of law enforcement and the command structure allows actions to be taken to protect the victim.

# Role Play # 1

A 26 year old female captain is in the emergency room at the MTF and has reported that she has been sexually assaulted by someone in her unit. She is very concerned about confidentiality and wants to know her rights as well as her choices. She is not aware of the Army's current sexual assault policy and is worried that this may affect her career as an Army officer.

What procedures does the UVA take to inform the victim of her rights to confidentiality and options?

# Role Play # 2

A 20 year old victim approaches a UVA and states that she has been sexually assaulted by two soldiers in her unit. She says she initially didn't want to report the assault because she was drinking at the time of the assault and was afraid that she would get in trouble. She now wants to come forward because she wants the assailants to be prosecuted.

What procedures does the UVA take to inform the victim of her rights to confidentiality, options, and to address the victim's concerns for her collateral misconduct?

# Lesson 5

# Confidentiality

# Lesson 5
# Confidentiality

## Learning Objectives:

- Define confidentiality and explain the importance of maintaining confidentiality
- Discuss limitations/exceptions to confidentiality

# What is Confidentiality?

***Confidentiality*** *is perhaps the most fundamental principle of sexual assault services.*

*Victims have a* ***basic right*** *to expect information shared with the UVA will* ***not*** *be shared with others inappropriately or without the victims knowledge or consent.*

# Importance of Confidentiality

UVAs should be aware of the importance of privacy and confidentiality to victims. Victims need privacy for a number of very concrete reasons:

- It is essential to their recovery from the assault
- It is a way of protecting themselves from further assault (figurative and otherwise) by the perpetrator and others
- It is a way of containing the assault experience so that its impact does not invade every corner of their lives

# Reasons Victims Fear Breach of Confidentiality

Victim's are in fear of:

- Stigma/shame
- Disciplinary action (collateral misconduct)
- Re-victimization
- Reaction of colleagues and/or commander
- Perceived operational impact (training, deployment, security clearance)

# Exceptions to Confidentiality

Exceptions to confidentiality include occasions in which:

- A victim poses a danger to self or others
- Communication reveals imminent danger
- A victim requests that information be released to appropriate third parties, providers, officials or agencies. ***The UVA should always get written consent***
- A UVA is ordered/subpoenaed by military or civilian court
- A victim discloses information about the physical, emotional and/or sexual abuse of a child

# Challenges in a Deployed Environment

- Victim privacy may be difficult to maintain in both restricted and unrestricted cases

- The UVA must be resourceful, flexible and creative in overcoming barriers that may exist in a deployed environment

# Learning Scenario # 1

A UVA is providing advocacy services to a male SGT who elected the restricted reporting option. He has expressed to the UVA his extreme concern for confidentiality because of his leadership position. He received a memo stating that due to a sexual assault on post, changes would be made regarding training. He immediately contacted the UVA and asked if anyone had notified his Command of the details of his assault. His assailant is civilian and the victim elected restricted reporting to ensure access to services. He was concerned that this incident might affect his career. He also didn't want his soldiers to worry about him, thereby affecting mission readiness. He requested that the UVA discuss his case with his counselor because he didn't believe his counselor fully understood his situation. The UVA also receives a "hand delivered" letter from a civilian court stating that the UVA needs to appear in court as a witness in the case against a local civilian who is on trial for the sexual assault of an Active Duty male soldier. The letter states that the UVA is required by law to testify.

# Discussion Questions for Learning Scenario # 1

1. What challenges does the UVA face in this scenario?

2. Who does the UVA consult with to address concerns with confidentiality?
3. Will the UVA have to testify?

4. Can the UVA speak to the victim's counselor?

5. What needs to be done in order for the UVA to speak with the victim's counselor?

# Learning Scenario # 2

A 19 year old female soldier has been seeing a UVA for the past month two months for advocacy services. She has elected a restricted report because her assailant is her ex-boyfriend is also in her unit. The victim has reported to the UVA that she is extremely concerned for her safety because her assailant has made phone calls to her "threatening to kill her." The victim also reports not being able to sleep and is having anxiety attacks.

# Discussion Question for Learning Scenario # 2

1. What action needs to be taken in order to ensure the victim's safety?

2. Can the UVA break confidentiality in this case?

3. What referrals should be made to the victim?

# Lesson 6

# Boundaries and Conflicts of Interest

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# Boundaries and Conflicts of Interest

## Learning Objectives:

- Explain the importance of developing and maintaining appropriate boundaries when working with victims
- Discuss possible conflicts of interest when working with victims

# Boundaries

Maintaining appropriate boundaries and consistently and steadfastly behaving within the limits of the UVA/victim relationship are essential to maintain the victim's trust and sense of safety.

# The UVA's Ethical Responsibility

Often, victims will want to extend the relationship beyond the UVA/victim relationship into a friendship. It is the UVA's responsibility to maintain appropriate limits on the relationship.

# What the UVA Can Do

This can be done by:

- Encouraging the victim to develop a personal support system, which includes family members, friends, and other support services
- Modeling appropriate behavior
- Empowering the victim to make their own decisions and choices
- Empowering the victim to utilize both internal and external resources

# UVA/Victim Relationship

It is never appropriate to allow an UVA/victim relationship to gradually blend into a friendship. No matter how caring or well intentioned, the UVA's role is a source of support and knowledge; therefore, the relationship must have clear boundaries.

No matter how much it feels like a relationship between equals, it would hinder the victim's healing process if the relationship developed into a friendship. A friendship may possibly lead to different expectations of the UVA, which would be inappropriate or considered a boundary violation.

# Boundaries Are Important

The victim already had a significant violation of boundaries occur during the victimization; it is crucial that the UVA not engage in any behavior that may even subtly blur the boundaries of the relationship with the victim.

Consistently practicing ethical behavior requires vigilance. The UVA must constantly monitor innuendoes, suggestions, offers, opportunities and all aspects of the relationship for signs it is losing its professional focus.

# Potential Boundary Violations

Innocent, but potentially damaging **boundary violations** might occur when/if:

- The UVA forms a personal and/or sexual relationship with the victim or with a member of the victim's family
- The  victim asks for personal information about the UVA or the UVA volunteers it
- The victim or the UVA offers an invitation to visit their home
- The victim offers the UVA goods or services, such as a discount at a victim-owned business, or coupons for a dinner or similar entertainment to express appreciation for services rendered
- The victim offers monetary gifts or gifts of value to the UVA
- The victim or UVA extends an invitation to lunch, dinner, coffee, or other occasions purely social in nature

# Potential Boundary Violations

- The UVA volunteers specifics of his/her own history of abuse
- The UVA shares his/her own feelings about CID, the healthcare provider, or the legal process
- The UVA shares his/her own opinion about which reporting option the victim should select
- The UVA shares his/her own personal biases in regards to sexual assault, sexual assault offenders, and any cultural biases the UVA may have
- The UVA begins to support a course of action he/she believes is in the victim's best interest, rather than allowing the victim to make his/her own choices *(Remember, the UVA is there to **facilitate** the victim's decision-making process)*

# Conflicts of Interests

A part of maintaining ethical behavior is being aware of any conflicts of interests that may occur that will prevent the UVA from providing appropriate and sufficient support and care to victims.

Conflicts of interest may stem from several different sources. Some of them may include, but are not limited to:

- Having a previous personal and/or working relationship with a victim
- Having a previous personal and/or working relationship with the alleged offender
- UVA assigned to two different sexual assault cases where the victims are friends
- The relationship with the victim will create a dual relationship with the UVA

# Learning Scenario

CID agent Smith has been investigating SPC Brown's case for the past 2 months. The UVA providing advocacy services to SPC Brown makes a follow-up call to SPC Brown. During the call, the victim mentions to the UVA that the CID agent working on his case asked him to the movies two days ago. The victim reported having mixed feelings about the proposal and asked the UVA what to do. The victim then asked the UVA if she wanted to come to her house so they can discuss the issue in more detail since she was thinking about agreeing to the CID agent's offer.

# Role Play # 1

A UVA has been providing advocacy to a victim for the past 6 months. The victim has grown noticeably attached to the UVA. The UVA initially had concerns about the victim's emotional well-being but has seen recent growth of the victim's recover process. The UVA has initiated closing the victim's case because the legal process is complete. During their final meeting, the victim states that he wants to thank the UVA for such unconditional support and says that he "Couldn't have made it without you." to the UVA. He gives the UVA a gold bracelet and invites the UVA to dinner and says, "I can't accept no for an answer."

# Role Play # 2

A UVA initiated a “warm hand-off’ to transfer a victim’s former platoon sergeant. As part of the “warm hand-off,” the UVA arranged the initial meeting with the new UVA and the victim. About 3 months later, the UVA was at the movies and noticed that the new UVA and the victim were sitting 3 rows in front of him.

# The UVA is Always Responsible

The UVA is ***always*** responsible for maintaining appropriate UVA/victim boundaries. The victim is ***never*** responsible for monitoring the relationship to determine when boundaries are being crossed.